

Russ W. Ercolani (SBN 240493)
ERCOLANI LAW GROUP
4195 E. Thousand Oaks Blvd., Suite 175
Westlake Village, CA 91362
Phone: (805) 338-6880
Fax: (805) 367-4454
E-mail: russ@ercolanilawgroup.com

Attorney for Debtors,
Frederick Kurt Howard & Carolyn Lee Howard

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SAN FERNANDO VALLEY DIVISION

IN RE:

Frederick Kurt Howard & Carolyn Lee
Howard

DEBTOR(S)

) CHAPTER 7
) Case No.: 1:12-16969-VK
)
) **JOINT STIPULATION BETWEEN**
) **DEBTORS AND CHAPTER 7 TRUSTEE**
) **DAVID SEROR CONCERNING**
) **MINIMUM PAYMENT TO UNSECURED**
) **CREDITORS IN CHAPTER 13 PLAN AND**
) **WITHDRAW OF OBJECTION**
)
)
)

TO THE HONORABLE VICTORIA KAUFMAN, UNITED STATES BANKRUPTCY
JUDGE:

Debtors, Frederick Kurt Howard & Carolyn Lee Howard ("Debtors") and former
Chapter 7 Trustee David Seror, hereby submit the parties' joint stipulation concerning Debtors'
proposed Chapter 13 Plan and the resolution of Mr. Seror's objection to confirmation:

RECITALS

1. The Debtors' former Chapter 7 case was converted to a Chapter 13 case on December 11, 2012.
2. The Debtors' filed a proposed Chapter 13 Plan on January 17, 2013.
3. The Former Chapter 7 Trustee on this case, David Seror filed an objection to the confirmation of such plan on January 29, 2013.
4. The Debtors wish to resolve any dispute with the former Chapter 7 Trustee concerning avoidable transfers and liquidation valuations that may affect the amount of funds payable to unsecured creditors in the Debtors' Chapter 13 Plan.
5. The former Chapter 7 Trustee has agreed to hereby withdraw his objection to confirmation of the Debtors' plan on the express condition that any Plan in Debtors' case pay no less than \$42,900 to unsecured creditors.

STIPULATION

A. The Debtors' stipulate that in no event shall Debtors' Chapter 13 Plan pay less than \$42,900 to unsecured creditors.

B. Debtors' do concurrently file herewith the First Amended Plan that sets forth to pay a base plan amount of \$53,277, including \$42,900 to Class 5, General Unsecured Creditors.

C. Former Chapter 7 Trustee David Seror withdraws the objection to confirmation of Debtors' Plan expressly conditioned on payment to unsecured creditors of not less than \$42,900.

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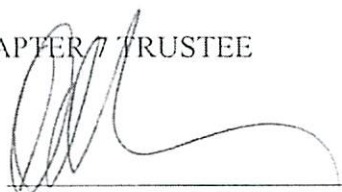
1 Dated: March 26, 2013

ERCOLANI LAW GROUP

2
3
4 By: 
5 Russ W. Ercolani
6 Attorney for Debtors, Frederick Howard & Carolyn
7 Howard

8 Dated: March 26, 2013

CHAPTER 7 TRUSTEE

9 By: 
10 David Seror

NOTE: When using this form to indicate service of a proposed order, **DO NOT** list any person or entity in Category I. Proposed orders do not generate an NEF because only orders that have been entered are placed on the CM/ECF docket.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
4195 E. Thousand Oaks Blvd., Suite 175, Westlake Village, CA 91362

A true and correct copy of the foregoing document described as JOINT STIPULATION BETWEEN DEBTORS AND CHAPTER 7 TRUSTEE DAVID SEROR CONCERNING MINIMUM PAYMENT TO UNSECURED CREDITORS IN CHAPTER 13 PLAN will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner indicated below:

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On 03/26/2013, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below:

- Russ W Ercolani russ@ercolanilawgroup.com
- Elizabeth (SV) F Rojas (TR) cacb_ecf_sv@ch13wla.com
- David Seror (TR) kpscion@ebg-law.com, C133@ecfcbis.com
- United States Trustee (SV) ustpreion16.wh.ecf@usdoj.gov

☐ Service information continued on attached page

II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL(indicate method for each person or entity served):

On 03/26/2013, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

US Mail

Hon. Victoria S. Kaufman
United States Bankruptcy Court - Central District of California
21041 Burbank Boulevard, Suite 354 / Courtroom 301
Woodland Hills, CA 91367

☐ Service information continued on attached page

III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____, I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

March 26, 2013

Date

Kimberly M. Thompson

Type Name

/s/Kimberly M. Thompson

Signature